ESTTA Tracking number:

ESTTA385681

Filing date:

12/27/2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	GOJO Industries, Inc.
Granted to Date of previous extension	12/26/2010
Address	One GOJO Plaza, Suite 500 Akron, OH 44311 UNITED STATES
Party who filed Extension of time to oppose	Johnson & Johnson
Relationship to party who filed Extension of time to oppose	GOJO Industries, Inc. has acquired ownership of the PURELL registrations which form the basis for the opposition. See Exhibit A to Notice of Opposition.

Attorney	Sylvia A. Petrosky
information	Sylvia A. Petrosky, Attorney at Law
	2273 Smith Road
	Akron, OH 44333
	UNITED STATES
	sapetrosky@aol.com Phone:330 867 5288

Applicant Information

Application No	77845877	Publication date	06/29/2010
Opposition Filing Date	12/27/2010	Opposition Period Ends	12/26/2010
Applicant	PURE Bioscience 1725 Gillespie Way El Cajon, CA 92020 UNITED STATES		

Goods/Services Affected by Opposition

Class 005. First Use: 2003/07/21 First Use In Commerce: 2003/10/16

All goods and services in the class are opposed, namely: Anti-microbial preparations for use in agriculture, food and beverage processing, water treatment, and the manufacture of personal care, janitorial, and sanitation products; anti-microbial preservatives for use in agriculture, food and beverage processing, water treatment, and the manufacture of personal care, janitorial, and sanitation products; antiseptics for use in agriculture, food and beverage processing, water treatment, and the manufacture of personal care, janitorial, and sanitation products; disinfectants for use in agriculture, food and beverage processing, water treatment, and the manufacture of personal care, janitorial, and sanitation products; antiseptics; antifungals; anti-microbial preparations for use as an active ingredient in pharmaceutical preparations

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
--------------------------------------	----------------------------

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1696754	Application Date	03/26/1990
Registration Date	06/23/1992	Foreign Priority Date	NONE
Word Mark	PURELL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 1991/11/14 First Use In Commerce: 1991/11/14 hand sanitizing and disinfecting preparation with anti-bacterial and anti-microbial properties		

U.S. Registration No.	1710677	Application Date	03/26/1990
Registration Date	08/25/1992	Foreign Priority Date	NONE
Word Mark	PURELL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 1991/11/14 First Use In Commerce: 1991/11/14 anti-bacterial and anti-microbial hand and lotion soap		

U.S. Registration No.	2321519	Application Date	02/25/1999
Registration Date	02/22/2000	Foreign Priority Date	NONE
Word Mark	PURELL		•
Design Mark	Pis	ell	
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Us HAND SANITIZING AND DIS BACTERIAL AND ANTI-MIC	SINFECTANT PREPA	

Attachments	75649376#TMSN.gif (1 page)(bytes) 20101227141732498.pdf (20 pages)(898006 bytes)
	20101227141702400.pdf (20 pages)(000000 bytes)

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Sylvia A. Petrosky/
Name	Sylvia A. Petrosky
Date	12/27/2010

IN THE UNTIED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

GOJO Industries, Inc.

Opposition No.:

Opposer,

Application Serial No. 77/845,877

v.

Pure Bioscience

Mark: PURE BIOSCIENCE and Design

Applicant.

Filed: October 9, 2009

NOTICE OF OPPOSITION

GOJO Industries, Inc., (GOJO) an Ohio corporation with a principal office located at One GOJO Plaza, Suite 500, Akron, Ohio 44311, is successor-in-interest to Johnson & Johnson in the above-identified action. Effective October 29, 2010, GOJO Industries, Inc., acquired ownership from Johnson & Johnson of the several trademark registrations upon which this opposition is based as is evidenced in the attached assignment documentation which has been recorded in the Assignment Branch of the USPTO (see Exhibit A).

GOJO believes it will be damaged by the registration of the mark shown in Appln. Ser. No. 77/845,877 for the mark PURE BIOSCIENCE and Design; and, therefore, opposes registration of this mark.

Appln. No. 77/845,877 was filed on October 9, 2009, for "anti-microbial preparations for use in agriculture, food and beverage processing, water treatment, and the manufacture of personal care, janitorial, and sanitation products; anti-microbial preservatives for use in agriculture, food and beverage processing, water treatment, and the manufacture of personal care, janitorial, and sanitation products; antiseptics for use in agriculture, food and beverage processing, water treatment, and the manufacture of personal care, janitorial, and sanitation products; disinfectants for use in agriculture, food and beverage processing, water treatment, and the manufacture of personal care, janitorial, and sanitation products; antiseptics; antifungals; antivirals; anti-microbial preparations for use as an active ingredient in pharmaceutical preparations", in International Class 5. The application was published for opposition purposes on June 29, 2010. Opposer's predecessor-in-interest, Johnson & Johnson obtained extensions of time to oppose to December 26, 2010, which fell on a Sunday.

The grounds for opposition are as follows:

- 1. Opposer is engaged in the development, manufacture and sale of a variety of over-the-counter personal care and healthcare products, and has built a large and successful business in the personal care, healthcare, manufacturing, janitorial, food service, food processing, sanitation, military, education, and other fields.
- 2. Opposer is the owner of the mark PURELL used for a variety of personal care and healthcare products in the nature of hand sanitizing gels, hand and lotion soap, as well as for related personal care products including an instant hand sanitizer gel which it markets to the fields enumerated above in paragraph 1. These well known products are classified as disinfectants, anti-bacterials, anti-microbials, and germicides, amongst other classifications. The first use of the PURELL mark for the products described above dates back over nineteen (19) years, to at least as early as November of 1991, and the use of the PURELL mark in commerce has been continuous from that date through to the present.
- 3. Opposer owns several valid and subsisting U.S. trademark registrations incorporating its PURELL mark. Among these are:

a. PURELL Reg. No. 1,696,754 registered June 23, 1992 for "hand sanitizing and disinfecting preparation with anti-bacterial and anti-microbial properties", in Class 5.

b. PURELL Reg. No. 1,710,677 registered August 25, 1992 for "anti-bacterial and anti-microbial hand and lotion soap", in Class 5.

c. PURELL and Design



Reg. No. 2,321,519 registered February 22, 2000 for "hand sanitizing and disinfectant preparation with anti-bacterial and anti-microbial properties", in Class 5.

Registration Nos. 1,696,754 and 1,710,677 are incontestable. All of the foregoing registrations are collectively referred to as the "PURELL Registrations". The marks which are the subject of these registrations shall be referred to as the "PURELL Marks". As reflected in the USPTO's online database, the PURELL Registrations were assigned to Opposer by Opposer's predecessor-in-interest on October 29, 2010. Copies of details of the PURELL Registrations from the U.S. Patent and Trademark Office database, showing the current status and title of these registrations, are attached as Exhibit A.

4. The PURELL Marks of Opposer are in use in commerce for personal care and healthcare products, and this use has been continuous since before the respective dates of registration for the PURELL Registrations and back to the dates alleged for first use in each of such registrations, all of which registrations long predate the application filing by Pure Bioscience ("Applicant") for the mark PURE BIOSCIENCE and Design.

- 5. Opposer, Opposer's licensees, and Opposer's predecessors-in-interest have prominently and extensively used, promoted and advertised the PURELL Marks for many years through varied promotional and advertising media. The promotional activity for the PURELL mark extends over nineteen (19) years, back to at least as early as November of 1991.
- 6. As a result of Opposer's extensive investment and effort in promoting the PURELL marks, the PURELL mark has become recognized as a well-known mark, and a famous mark. As a consequence, Opposer owns extremely valuable goodwill represented by the PURELL Marks.
- 7. Personal care products sold by Opposer under its PURELL Marks include hand sanitizing gels and hand and lotion soap.
- 8. Applicant seeks registration of the designation PURE BIOSCIENCE and Design for "anti-microbial preparations for use in agriculture, food and beverage processing, water treatment, and the manufacture of personal care, janitorial, and sanitation products; anti-microbial preservatives for use in agriculture, food and beverage processing, water treatment, and the manufacture of personal care, janitorial, and sanitation products; antiseptics for use in agriculture, food and beverage processing, water treatment, and the manufacture of personal care, janitorial, and sanitation products; disinfectants for use in agriculture, food and beverage processing, water treatment, and the manufacture of personal care, janitorial, and sanitation products; antiseptics; antifungals; antivirals; anti-microbial preparations for use as an active ingredient in pharmaceutical preparations", in Class 5.

- 9. Upon information and belief, October 9, 2009, the filing date for the PURE BIOSCIENCE and Design mark, is the earliest priority date upon which Applicant can rely.
 - 10. Applicant's alleged mark PURE BIOSCIENCE and Design



is so similar in overall commercial impression to the PURELL Marks that it is likely, when used for the goods identified in paragraph 8, to cause confusion, or to cause mistake or to deceive.

- 11. Opposer is not connected in any way with the Applicant of the alleged mark PURE BIOSCIENCE and Design.
- 12. Opposer's fanciful PURELL mark is of sufficient fame and has a sufficient reputation among consumers that when Applicant's alleged PURE BIOSCIENCE and Design mark is used for its enumerated goods, a connection with Opposer will be presumed by consumers.
- 13. Upon information and belief, Applicant's use of the alleged mark PURE BIOSCIENCE and Design upon the goods identified in paragraph 8 will falsely suggest a connection with Opposer.
- 14. The registration of Applicant's alleged PURE BIOSCIENCE and Design mark for the goods identified in paragraph 8 would be inconsistent with Opposer's rights under its aforementioned registrations and the common law, and would be damaging to Opposer.

WHEREFORE, Opposer requests that Appln. Ser. No. 77/845,877 be rejected, that no registration be issued on that application, and that this Opposition be sustained in favor of Opposer.

Respectfully submitted,

GOJO Industries, Inc.

Date: December 27, 2010

Sylvia/A. Petrosky 2273 Smith Road Akron, Ohio 44333 Phone 330 867 5288 Facsimile 330 867 5290 E-mail sapetrosky@aol.com

Attorney for Opposer

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Notice of Opposition has been served on Applicant's Attorney by mailing said copy on December 27, 2010, via regular U.S. Mail to Jennifer Lee Taylor, Morrison & Foerster LLP, 425 Market St Fl 30, San Francisco, CA 94105-2482.

Sylvia Af Petrosky



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Start List OR Jump to record: Record 7 out of 7

TARR Status ASSIGN Status TDR TTAB Status (Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark

PURELL

Goods and Services

IC 005. US 051 052. G & S: hand sanitizing and disinfecting

preparation with anti-bacterial and anti-microbial properties. FIRST

USE: 19911114. FIRST USE IN COMMERCE: 19911114

Mark Drawing

Code

(1) TYPED DRAWING

Serial Number

74042620

Filing Date

March 26, 1990

Current Filing

Basis

1A

Original Filing

Basis

1B

Published for

Opposition

Registration

December 25, 1990

GOJO INDUSTRIES, INC. v. PÜRE BIOSCIENCE

OFFERED BY GOJO INDUSTRIES, INC.

OPPOSITION NO.

EXHIBIT A

Number

1696754

Registration Date

June 23, 1992

Owner

(REGISTRANT) Go-Jo Industries, Inc. CORPORATION OHIO ONE

GOJO PLAZA SUITE 500 AKRON OHIO 44311

(LAST LISTED OWNER) GOJO INDUSTRIES, INC. CORPORATION

OHIO ONE GOJO PLAZA SUITE 500 AKRON OHIO 44311

Assignment Recorded

ASSIGNMENT RECORDED

Attorney of Record

Brian Jaenicke

Type of Mark

TRADEMARK

Register

PRINCIPAL

Affidavit Text

SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20020316.

Renewal

1ST RENEWAL 20020316

Live/Dead Indicator

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Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 5

Serial #: 74042620 **Filing Dt:** 03/26/1990 Reg #: 1696754 **Reg. Dt:** 06/23/1992

Registrant: Go-Jo Industries, Inc.

Mark: PURELL

Assignment: 1

Reel/Frame: 1659/0403 Received: 10/21/1997 **Recorded:** 07/21/1997 Pages: 7

Conveyance: CHANGE OF NAME

Assignor: GO-JO INDUSTRIES, INC.

Exec Dt: 08/19/1991

Entity Type: CORPORATION

Citizenship: OHIO

Citizenship: OHIO

Assignee: GOJO INDUSTRIES, INC. **Entity Type:** CORPORATION

3783 STATE ROAD

CUYAHOGA FALLS, OHIO 44223

Correspondent: RENNER, KENNER, GREIVE, ET AL.

REESE TAYLOR, ESQ.

SIXTEENTH FLOOR, FIRST NATIONAL TOWER

AKRON, OHIO 44308-1456

Assignment: 2

Pages: 4 **Reel/Frame:** 3005/0958 **Received:** 01/11/2005 **Recorded:** 01/11/2005

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: GOJO INDUSTRIES, INC Exec Dt: 12/28/2004

Entity Type: CORPORATION

Citizenship: DELAWARE

Citizenship: OHIO

Assignee: WARNER-LAMBERT COMPANY LLC **Entity Type: LIMITED**

LIABILITY

COMPANY MORRIS PLAINS, NEW JERSEY 07950

Correspondent: LORI COHEN

399 PARK AVENUE

201 TABOR ROAD

WILMER CUTLER PICKERING HALE AND DORR

NEW YORK, NY 10022

Assignment: 3

Reel/Frame: 3470/0588 Received: 01/30/2007 **Recorded:** 01/30/2007 Pages: 12

Conveyance: NUNC PRO TUNC ASSIGNMENT EFFECTIVE AS OF DECEMBER 20, 2006 EFFECTIVE 12202006

Assignor: WARNER-LAMBERT COMPANY LLC

Exec Dt: 01/29/2007

Entity Type: LIMITED

LIABILITY COMPANY

Citizenship: DELAWARE

Assignee: JOHNSON & JOHNSON

Entity Type: CORPORATION

ONE JOHNSON & JOHNSON PLAZA

Citizenship: NEW JERSEY

NEW BRUNSWICK, NEW JERSEY 08933

Correspondent: PETER J. SILVERMAN

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

866 UNITED NATIONS PLAZA

NEW YORK, NY 10017

Assignment: 4

Reel/Frame: 4416/0625 Received: 11/18/2010 Recorded: 11/18/2010 Pages: 9

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: JOHNSON & JOHNSON Exec Dt: 10/29/2010

Entity Type: CORPORATION
Citizenship: NEW JERSEY

Entity Type: CORPORATION

Assignee: GOJO INDUSTRIES, INC.

ONE GOJO PLAZA Citizenship: OHIO

SUITE 500

AKRON, OHIO 44311

Correspondent: SYLVIA A. PETROSKY

2273 SMITH ROAD AKRON, OH 44333

Assignment: 5

Reel/Frame: 4428/0859 Received: 12/09/2010 Recorded: 12/09/2010 Pages: 73

Conveyance: SECURITY INTEREST

Assignor: GOJO INDUSTRIES, INC. Exec Dt: 10/29/2010

Entity Type: CORPORATION

Citizenship: OHIO

Assignee: PNC BANK, NATIONAL ASSOCIATION Entity Type: NATIONAL

BANKING

COMMERCIAL LOAN SERVICE CENTER/DCC ASSOCIATION

PITTSBURGH, PENNSYLVANIA 15219 Citizenship: UNITED STATES

Correspondent: LUIS A. CARRION

BENESCH FRIEDLANDER COPLAN & ARONOFF LLP

200 PUBLIC SQUARE, SUITE 2300

CLEVELAND, OH 44114

500 FIRST AVENUE

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Typed Drawing

Word Mark

PURELL

Goods and Services

IC 005. US 051 052. G & S: anti-bacterial and anti-microbial hand

and lotion soap. FIRST USE: 19911114. FIRST USE IN

COMMERCE: 19911114

Mark Drawing

Code

(1) TYPED DRAWING

Serial Number

74042945

Filing Date

March 26, 1990

Current Filing

Basis

1A

Original Filing

Basis

1B

Published for

Opposition

December 11, 1990

Registration

Number

1710677

Registration Date August 25, 1992

Owner

(REGISTRANT) Go-Jo Industries, Inc. CORPORATION OHIO 3783

State Road Cuyahoga Falls OHIO 44223

(LAST LISTED OWNER) GOJO INDUSTRIES, INC.

CORPORATION OHIO ONE GOJO PLAZA SUITE 500 AKRON

OHIO 44311

Assignment Recorded

ASSIGNMENT RECORDED

Attorney of Record

Brian Jaenicke

Type of Mark

TRADEMARK

Register

PRINCIPAL

Affidavit Text

SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20020509.

Renewal

1ST RENEWAL 20020509

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Indicator

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Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 5

Serial #: 74042945 Filing Dt: 03/26/1990 Reg #: 1710677 Reg. Dt: 08/25/1992

Registrant: Go-Jo Industries, Inc.

Mark: PURELL
Assignment: 1

Reel/Frame: 1620/0514 Received: 08/26/1997 Recorded: 08/01/1997 Pages: 6

Conveyance: CHANGE OF NAME

Assignor: GO-JO INDUSTRIES, LTD. Exec Dt: 08/19/1991

Entity Type: CORPORATION

Entity Type: CORPORATION

Citizenship: OHIO

Citizenship: OHIO

Assignee: GOJO INDUSTRIES, INC.

3783 STATE ROAD CUYAHOGA FALLS, OHIO 44223

Correspondent: RENNER, KENNER, GREIVE ET AL.

REESE TAYLOR SIXTEENTH FLOOR

FIRST NATIONAL TOWER AKRON, OH 44308-1456

Assignment: 2

Reel/Frame: 3005/0958 Received: 01/11/2005 Recorded: 01/11/2005 Pages: 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: GOJO INDUSTRIES, INC Exec Dt: 12/28/2004

Entity Type: CORPORATION

Citizenship: OHIO

Assignee: WARNER-LAMBERT COMPANY LLC
201 TABOR ROAD
Entity Type: LIMITED
LIABILITY

COMPANY

MORRIS PLAINS, NEW JERSEY 07950

Citizenship: DELAWARE

Correspondent: LORI COHEN

399 PARK AVENUE

WILMER CUTLER PICKERING HALE AND DORR

NEW YORK, NY 10022

Assignment: 3

Reel/Frame: 3470/0588 Received: 01/30/2007 Recorded: 01/30/2007 Pages: 12

NUNC PRO TUNC ASSIGNMENT EFFECTIVE AS OF DECEMBER 20, 2006

Conveyance: EFFECTIVE 12202006

Assignor: WARNER-LAMBERT COMPANY LLC

Exec Dt: 01/29/2007

Entity Type: LIMITED

LIABILITY **COMPANY**

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: NEW JERSEY

Assignee: JOHNSON & JOHNSON

ONE JOHNSON & JOHNSON PLAZA

NEW BRUNSWICK, NEW JERSEY 08933

Correspondent: PETER J. SILVERMAN

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

866 UNITED NATIONS PLAZA

NEW YORK, NY 10017

Assignment: 4

Reel/Frame: 4416/0625 **Received:** 11/18/2010 **Recorded:** 11/18/2010 Pages: 9

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: JOHNSON & JOHNSON Exec Dt: 10/29/2010

> Entity Type: CORPORATION Citizenship: NEW JERSEY

Citizenship: OHIO

Entity Type: CORPORATION Assignee: GOJO INDUSTRIES, INC.

ONE GOJO PLAZA

SUITE 500

AKRON, OHIO 44311

Correspondent: SYLVIA A. PETROSKY

2273 SMITH ROAD **AKRON, OH 44333**

Assignment: 5

Reel/Frame: 4428/0859 Received: 12/09/2010 **Recorded:** 12/09/2010 Pages: 73

Conveyance: SECURITY INTEREST

Assignor: GOJO INDUSTRIES, INC. Exec Dt: 10/29/2010

Entity Type: CORPORATION

Citizenship: OHIO

Entity Type: NATIONAL Assignee: PNC BANK, NATIONAL ASSOCIATION

BANKING 500 FIRST AVENUE

ASSOCIATION

Citizenship: UNITED STATES

PITTSBURGH, PENNSYLVANIA 15219

COMMERCIAL LOAN SERVICE CENTER/DCC

Correspondent: LUIS A. CARRION

BENESCH FRIEDLANDER COPLAN & ARONOFF LLP

200 PUBLIC SQUARE, SUITE 2300

CLEVELAND, OH 44114

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Word Mark

PURELL

Goods and Services

IC 005, US 006 018 044 046 051 052, G & S: HAND SANITIZING AND DISINFECTANT PREPARATION WITH ANTI-BACTERIAL AND

ANTI-MICROBIAL PROPERTIES, FIRST USE: 19980402, FIRST

USE IN COMMERCE: 19980402

Mark Drawing

Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Code

Design Search 26.03.28 - Miscellaneous designs with overall oval shape, including amoeba-like shapes and irregular ovals; Oval shape (miscellaneous

overall shape)

Serial Number 75649376

Filing Date February 25, 1999

Current Filing Basis

'''⁹ 1A

Original Filing

Basis

1A

Published for Opposition

November 30, 1999

Registration Number

2321519

Registration

Date

February 22, 2000

Owner (REGISTRANT) GOJO Industries, Inc. CORPORATION OHIO 3783

State Road Cuyahoga Falls OHIO 44223

(LAST LISTED OWNER) GOJO INDUSTRIES, INC. CORPORATION

Top

HELP

OHIO ONE GOJO PLAZA SUITE 500 AKRON OHIO 44311

Assignment Recorded

ASSIGNMENT RECORDED

Attorney of

Record

Brian Jaenicke

Prior Registrations

1696754;1710677;2190507

Type of Mark

TRADEMARK PRINCIPAL

Register Affidavit Text

SECT 8 (6-YR). SECTION 8(10-YR) 20100323.

Renewal

1ST RENEWAL 20100323

Live/Dead Indicator

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Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 4

Serial #: 75649376 **Filing Dt:** 02/25/1999 Reg. Dt: 02/22/2000 Req #: 2321519

Registrant: GOJO Industries, Inc.

Mark: PURELL

Assignment: 1

Reel/Frame: 3005/0958 Received: 01/11/2005 **Recorded:** 01/11/2005 Pages: 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: GOJO INDUSTRIES, INC Exec Dt: 12/28/2004

Entity Type: CORPORATION

Citizenship: OHIO

Assignee: WARNER-LAMBERT COMPANY LLC

Entity Type: LIMITED LIABILITY 201 TABOR ROAD

COMPANY

MORRIS PLAINS, NEW JERSEY 07950 Citizenship: DELAWARE

Correspondent: LORI COHEN

399 PARK AVENUE

WILMER CUTLER PICKERING HALE AND DORR

NEW YORK, NY 10022

Assignment: 2

Reel/Frame: 3470/0588 **Received:** 01/30/2007 **Recorded:** 01/30/2007 Pages: 12

NUNC PRO TUNC ASSIGNMENT EFFECTIVE AS OF DECEMBER 20, 2006 Conveyance:

EFFECTIVE 12202006

Assignor: WARNER-LAMBERT COMPANY LLC Exec Dt: 01/29/2007

Entity Type: LIMITED

LIABILITY COMPANY

Citizenship: DELAWARE

Assignee: JOHNSON & JOHNSON **Entity Type: CORPORATION** ONE JOHNSON & JOHNSON PLAZA Citizenship: NEW JERSEY

NEW BRUNSWICK, NEW JERSEY 08933

Correspondent: PETER J. SILVERMAN

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

866 UNITED NATIONS PLAZA

NEW YORK, NY 10017

Assignment: 3

Reel/Frame: 4416/0625 Received: 11/18/2010 Recorded: 11/18/2010 Pages: 9

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: JOHNSON & JOHNSON Exec Dt: 10/29/2010

Entity Type: CORPORATION Citizenship: NEW JERSEY

Assignee: GOJO INDUSTRIES, INC. Entity Type: CORPORATION

ONE GOJO PLAZA Citizenship: OHIO

SUITE 500

AKRON, OHIO 44311

Correspondent: SYLVIA A. PETROSKY

2273 SMITH ROAD AKRON, OH 44333

Assignment: 4

Reel/Frame: 4428/0859 Received: 12/09/2010 Recorded: 12/09/2010 Pages: 73

Conveyance: SECURITY INTEREST

Assignor: GOJO INDUSTRIES, INC. Exec Dt: 10/29/2010

Entity Type: CORPORATION

ASSOCIATION

Citizenship: OHIO

Assignee: PNC BANK, NATIONAL ASSOCIATION

Entity Type: NATIONAL BANKING

500 FIRST AVENUE

COMMERCIAL LOAN SERVICE CENTER/DCC

PITTSBURGH, PENNSYLVANIA 15219 Citizenship: UNITED STATES

Correspondent: LUIS A. CARRION

BENESCH FRIEDLANDER COPLAN & ARONOFF LLP

200 PUBLIC SQUARE, SUITE 2300

CLEVELAND, OH 44114

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